

## Transfer of Service General Information - Basic Guidelines

The Transfer of Service Exemption (WI Statute 121.91(4)(a) provides that a school district which assumes responsibility for a program or service from another governmental unit may request and be granted an exemption to the district revenue limit equal to the increased cost due to that program or service. If the service transferred is a student that requires Special Education or ESL services, the exemption will be reduced by the estimated amount of categorical aid the district could receive the following year, as determined by DPI. If the previous governmental unit was another Wisconsin school district, that district's revenue limit may be reduced by an amount equal to their reduction in cost as a result of that transfer out.

### Examples of Approved Transfer of Service Exemptions:

A visually impaired student moves in, requiring the district to establish a new program for the visually impaired. Eligible costs include staff, aide, equipment and transportation.

A CD student moves in and enrolls in an existing CD class but the increased enrollment requires the district to add the services of an aide. (Note: if the aide provides services to only the new student, the whole cost of the aide may be eligible. If the aide also provides services to other students, cost must be pro-rated over all students).

A district resident who has been receiving Special Ed. services from the county "Birth to 3" program enrolls and the district must now provide those services.

A student moves into the district from India and requires ESL services and the services of an interpreter.

A CD student moves in from Ohio causing the district to increase its CD services.

The county has reduced its nursing services to school districts and districts must hire nurses.

The county previously collected the district garbage at no cost but is no longer providing that service. The district must assume the cost.

A county CCDEB ceases to operate, causing the district to pick up the Special Ed. services of its students.

A student is receiving OT services from a CESA. The student moves half-way through the year. (The district the student transfers to is allowed an exemption for a full year's costs, assuming the student will remain for the following year. The district the student transfers from will be reduced for its actual cost of the amount of the CESA contract for the half-year).

A student moves into the district but remains in the previous district under an open enrollment provision. The new resident district can claim new TOS costs above the open enrollment amount. The non-resident district may have a cost reduction for the costs above the open enrollment amount.

### **Examples of Transfer of Service Exemption Requests Not Allowed:**

A Special Education student starts the school year in district A, moves to district B and then back to A the same year. Is there a transfer of service? (District A is not eligible because the transfer would not generate new costs. However, District B may be eligible, but only if they had an increase in costs, and only for actual costs incurred while the student was enrolled. If no services are provided because the student was there for only a short time, there are no eligible costs).

A CD student moves in and enrolls in an existing CD class. No actual increase in cost is incurred although the average cost for a CD student in the district is \$10,000. (A teacher may have room in his/her class with no cost increase).

A resident student is identified as needing additional Special Ed. services. (Not a transfer).

A district resident who has not been involved in any kind of program enrolls in kindergarten and is then determined to require Special Ed. services. (No transfer of service took place).

Chapter One revenues are decreased causing the district to supplement the Chapter One program with local tax money. (No transfer of service took place).

An exceptionally large enrollment of resident students in kindergarten caused the district to hire an additional kindergarten teacher. (No transfer of service took place).

A parent who has been transporting a Special Ed. student to school refuses to continue to do it. The district must now pick up the special education costs. (A parent is not a governmental unit).

A resident student has been educated in the district, now his services are being provided in a neighboring school district through a 66.30 agreement. (Student is still a resident).

A resident student has been educated in the district but is now attending a neighboring school district through open enrollment. (Student is still a resident).

The DPI has determined that the district must add an ED and CD program for its resident students to meet state guidelines. (Students are residents).

A district is serving as the fiscal agent of a new 66.30. They must remove asbestos from a room to be used in the program. (They would have had to remove it anyway).

A student who has been attending a private school (including home-based schools) enrolls in the public school and requires Special Ed. services. (Student is already a resident).

A student from district A enrolls in district B. The student received no Special Ed. services while in district A but is identified as LD in district B. (No transfer, Special Ed need must have been identified before moving into district).

A student that received LD services in a previous district enrolls. It is immediately determined that the student needs hearing impaired services. (Only cost for LD services is eligible, not hearing impaired, since that was the only Special Ed need identified in the previous district).

### **Examples of Possible Reductions:**

**A hearing-impaired student has a one-on-one interpreter. The student moves and the interpreter is not re-hired. What is the reduction?** (Cost reduction is the amount of the interpreter's salary & benefits. If the interpreter is simply re-assigned, and not terminated, there is still a cost reduction because the services for that one student are no longer needed).

**A resident student that attends another school via a 66.30, tuition or CESA contract moves out. Is there a reduction?** (Yes, the reduction is for the amount of the contract that is no longer needed).

**A student moves into another district but remains in what is now the non-resident district under an open enrollment provision.** When the new resident district becomes fiscally responsible, they can claim new TOS costs above the open enrollment amount. The non-resident district may have a cost reduction for the costs above the open enrollment amount.

**A student that required a special transportation route moves. The route is no longer needed, and the bus driver is re-assigned to another route. Is there a reduction?** (Yes. Cost reduction is determined by the cost of the route).

**A student that required OT services which was provided by a private business via contract moves out. The contract is terminated. What is the reduction?** (Cost reduction is the cost of the contract which is no longer needed).

**A full-time teacher and full-time aide work with ten students in a LD class. Three of the students transfer to another school, and the new school claims a transfer of service. Due to the loss, the aide time is reduced by 1/2, and re-assigned to an ED class, which has an increase in students. Is there a reduction?** (Yes, there is a reduced cost to the district of 1/2 the aide's salary and benefits. Even though the aide was re-assigned to the ED class, there was a reduction in the LD class the students moved out of. If the students hadn't moved, the district would have increased the time in the ED class anyway. However, if the aide still worked full-time with the original class despite the loss of the students, no reduction would occur).

**Assuming the above, if the students moved back during the same year and the aide was switched back to the LD class, what would happen to the revenue limit?** (The revenue limit reduction would be rescinded.)

**You received notice of a transfer of service request by another district for a student that you find did not attend your district. What should you do?** (Simply indicate that on the notice form in the area provided, and return as soon as possible. No exemption is allowed).

**You received notice of a transfer of service request by another district for a student that you provided LD services to. The notice indicates the new district will be providing LD and OT services. What should you do?** (Indicate that on the notice form in the area provided. Any discrepancies between districts will be reviewed by the department. The services must have been required by the IEP. Determine if you had a reduction in LD costs as a result of the transfer out. If you did not provide OT services, there can be no transfer of service and no reduction in cost).

**You receive notice of a transfer of service request by another district for a student that spent two weeks in your district. You just completed review of the IEP while the student attended regular classes, but didn't provide services to the student. The student then moved. Is there a reduction?** (No, although Special Ed. services were required, the district did not have time to implement the IEP. If the district did actually provide services for that short period of time, the reduction would be the actual cost for that period of time.)